SOUTHERN DISTRICT OF NEW YORK	
	X :
DARKO ENTERTAINMENT, LLC as Successor in Interest to GBA FILM, LLC and YOU DON'T	: ORDER DISMISSING
KNOW ME PRODUCTIONS, INC.,	: COMPLAINT FOR L. : JURISDICTION
Plaintiff,	:
-against-	: 20 Civ. 8166 (AKH)
MAGNOLIA PICTURES, LLC,	:
Defendant.	
ALVINE HELLEDSTEIN ILS D.I.	X

Plaintiff DARKO ENTERTAINMENT, LLC, a limited liability company registered in California, sues Defendant Magnolia Pictures, LLC. The alleged jurisdictional basis is diversity of citizenship, pursuant to 28 U.S.C. § 1332.

For diversity purposes, a limited liability company is deemed to be a citizen of all the states in which its members are citizens. See Handelsman v. Bedford Vill. Assocs. Ltd. P'ship, 213 F.3d 48, 51052 (2d Cir. 2000) (citing Carden v. Arkoma Assocs., 494 U.S. 185, 195-96 (1990)); see also Americold Realty Tr. v. Conagra Foods, Inc., 136 S. Ct. 1012, 1014 (2016) ("While humans and corporations can assert their own citizenship, other entities take the citizenship of their members."). Plaintiff has failed to identify the members of the Plaintiff's and Defendant's limited liability companies and to allege their citizenship.

The complaint is dismissed, with leave to replead an adequate basis of complete diversity of citizenship no later than 30 days from this order.

SO ORDERED.

Dated:

October 28, 2020 New York, New York

ALVIN K. HELLERSTEIN United States District Judge

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MPLAINT FOR LACK OF